

REMARKS

A.) The Section 103 Rejections Based on Sridhar and Park

(i) Claims 1-3, 9, 12-15, 19 and 20

Claims 1-3, 9, 12-15 and 19-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sridhar, U.S. Patent No. 5,778,118 (“Sridhar”) in view of Park et al., U.S. Patent Publication No. 2002-0067526 (“Park”). Applicants disagree and traverse these rejections for at least the following reasons.

Each of the claims of the present invention includes the feature of, among other things, “selectively blocking [one] or more optical channels being dropped from [a] WDM input signal so that only optical channels not being dropped at the add/drop node are passed on [a] through transmission path.” This feature relates to a so-called “through” transmission path.

Applicants respectfully submit that neither Sridhar nor Park disclose or suggest such selective blockage. In Sridhar, there is either no “through” transmission path or the through transmission path does not contain an element that selectively blocks optical channels, as in the claims of the present invention.

For example, the elements 40 shown in FIG. 1 of Sridhar act to drop wavelengths which may be subsequently added, not those that have been previously dropped. Applicants note that the path 60 does not appear to be a drop path. Rather, all of the wavelengths that are sent via this path 60 are actually split from the original wavelengths, not dropped. In this first interpretation of Sridhar there is no through path; only a drop path which includes the elements 40 and an add path 83.

If, however, Sridhar is interpreted to have a through path it is probably the path which exits the element 30. If this is the case then, from FIG. 1, it can be seen that the path which exits element 30 does not have any means for blocking one or more optical channels, as in the claims of the present invention.

With respect to Park, and in particular FIG. 2, if the “through” path is considered the path which leads from element 231 towards element 213 then it can be seen that the through path does not contain an

element for selectively blocking one or more optical channels from a WDM signal. The only path which appears to contain a blocking element is the add transmission path (e.g., element 271).

In sum, because neither Sridhar nor Park disclose selective blocking of one or more channels in a through transmission path, neither Sridhar nor Park taken separately or in combination, discloses or suggests the subject matter of claims 1-3, 9, 12-15, 19 and 20.

Accordingly, Applicants respectfully request withdrawal of the pending rejections and allowance of these claims.

(ii) Claims 21 and 22

Claims 21 and 22 were also rejected based on a combination of Sridhar and Park. Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Each of these claims includes: (a) a first transmission path for dropping selective optical channels from a WDM signal; (b) a second transmission path for routing selective optical channels through an add/drop node; (c) and a third transmission path for adding selected optical channels to the WDM signal. The second transmission path also selectively blocks wavelengths that correspond to optical channels being added while the third transmission channel selectively passes wavelengths that correspond to optical channels being added. As noted before, Sridhar does not disclose or suggest a through transmission path which contains elements that selectively block wavelengths of a WDM signal. Similarly, Sridhar does not disclose a through transmission path which selectively blocks wavelengths that are being added to the WDM signal. The wavelengths being added in path 83 are not added in a through transmission path; instead, these wavelengths are being added in an add transmission path.

With respect to Park, it does not disclose a through transmission path that selectively blocks optical channels being added to a WDM signal. The through transmission path in Park exits element 231. There is no selective blocking of wavelengths in this through transmission path. Accordingly, because

neither Sridhar nor Park discloses or suggests the subject matter of claims 20 and 21 these claims are patentable over the combination of Sridhar and Park taken separately or in combination.

B.) The Section 103 Rejections Based on Sridhar, Park and Thomas

Claims 4-8, 10, 11 and 16-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sridhar, Park and in further view of Thomas et al., U.S. Patent No. 6,429,974 ("Thomas"). Applicants disagree and traverse these rejections for at least the following reasons.

Applicants respectively submit that these claims depend on independent claim 1 or 13 and therefore are patentable over the combination of Sridhar and Park in further view of Thomas for the reasons stated above with respect to claims 1 and 13. Thomas does not make up for the deficiencies of Sridhar or Park.

For at least these reasons, Applicants respectfully submit that claims 4-8, 10, 11 and 16-18 are patentable over the combination of Sridhar, Park and Thomas.

CONCLUSION

For the reasons stated above, Applicants respectfully request withdrawal of the rejections and allowance of claims 1-22.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.


In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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